

REMARKS

The applicant has carefully studied the outstanding Official Action, dated October 22, 2008. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance.

Claims 1-4 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner particularly points to three terms in the body of the claims which lack antecedents. The preamble to claim 1 has been amended to clearly insert the antecedents deemed lacking by the Examiner.

Claims 1-4 stand rejected under 35 USC 102(b) as being anticipated by Gray (US 3890657).

Claims 2-4 are being cancelled without prejudice.

Claim 1 has been amended to recite the structure shown in Fig. 5 and the discussion thereof. The functioning of the Gray dispenser requires a piston; the Applicant's dispenser does not require a piston. Accordingly, amended claim 1 does not read on the cited reference and is allowable.

Elements have been numbered for the convenience of the Examiner but it is to be understood that the use of reference numerals is to be considered as having no effect on the scope of the claims.

In view of the foregoing amendments and remarks, the application is believed to be in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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